

Appl. No : **10/615,524**
Filed : **July 3, 2003**

REMARKS

With this Amendment, Claims 1-6 and 9-13 are pending in the present application. Claims 1, 9 and 10 have been amended, and Claims 7, 8, 14 and 15 have been canceled.

Claims 1-10 and 12-15 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kawakubo et al. (U.S. Patent No. 5,739,563) in view of Kawahara et al. (U.S. Patent No. 5,989,635). Claim 11 was rejected under 35 U.S.C. § 103(a) as unpatentable over Kawakubo in view of Kawahara, and further in view of Tarutani et al. (U.S. Patent No. 6,179,920). Applicants respectfully submit that Claims 1-6 and 9-13, as amended, are in condition for allowance.

In the amendments to independent Claims 1, 9 and 10, Applicants have added the following language: “wherein the resulting BST film comprises about 52 to 53 atomic percent titanium.” In the previously pending claim set, this limitation was present in Claims 8 and 15. In rejecting these previously pending dependent claims, the Examiner indicated that this ratio is disclosed by Kawahara, who teaches a ratio of 50% titanium (“ $(\text{Ba}+\text{Sr})/\text{Ti} = 1.0$ ”).

Applicants respectfully submit that the range of about 52 to 53 atomic percent titanium is plainly not taught by Kawahara or Kawakubo. The advantages of this higher percentage of titanium, including the reduction of haze in the BST layer, are also neither taught nor suggested by the prior art. Therefore, amended Claims 1, 9 and 10 are not obvious in view of Kawahara and Kawakubo for at least the above reasons. Furthermore, since dependent Claims 2-6 and 11-13 depend from allowable independent claims, Applicants respectfully submit that they are also in condition for allowance for at least the same reasons discussed above.

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CONCLUSION

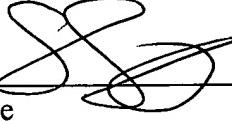
The undersigned has made a good faith effort to respond to all of the rejections in the present application and to place the claims into condition for allowance. Nevertheless, if any issues remain which can be resolved by telephone, the Examiner is respectfully requested to call Applicants' representative at the number indicated below in order to resolve such issues promptly.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2-27-05

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